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Department of Water Resources

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED 

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Subcase: 36-07138
	)	
Case No. 39576	)	PRELIMINARY SPECIAL
	)	MASTER'S REPORT
	)	

Findings of Fact

The Flat Top Sheep Company filed its *Notice of Claim to a Water Right* on approximately December 18, 1991, claiming .03 cfs of groundwater for stockwater use based on a license. On November 2, 1992, the Director of the Idaho Department of Water Resources filed his *Director's Report for Reporting Area 2 (Basin 36)* recommending the claim as filed.

The United States of America, Department of the Interior, Bureau of Land Management, filed its *Objection* on April 30, 1993, objecting to name and address and other. The claimant's *Response to Objection*, filed August 30, 1993, and the Director's *Response*, filed August 31, 1993, proposed no change in the recommendation. On March 1, 1996, the claimant, the United States and IDWR filed a *Standard Form 5*.

Conclusions of Law

The Flat Top Sheep Company is entitled to a partial decree adjudicating its water right under claim 36-07138 as described in the *Standard Form 5* and the *Preliminary Special Master's Recommendation for Partial Decree for Water Right 36-07138*.

DATED September 27, 1996.



TERRENCE A. DOLAN
Special Master, Reporting Area 3
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PRELIMINARY

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SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR TWIN FALLS CO., IDAHO
Water Right 36-07138

NAME & ADDRESS: FLAT TOP SHEEP CO
PO BOX 88
CAREY ID 83320

SOURCE: GROUNDWATER

QUANTITY: 0.03 CFS
21.7 AFY

PRIORITY DATE: 09/24/1970

POINT OF DIVERSION: T05S R24E S19 LOT 7 (SWSW)

Within MINIDOKA County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
STOCKWATER

PERIOD OF USE
01-01 12-31

QUANTITY
0.03 CFS
21.7 AFY

PLACE OF USE: STOCKWATER Within MINIDOKA County
T05S R24E S19 Lot 7 (SWSW)

DATED: 9-27-96



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

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TWIN FALLS CO., IDAHO

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[Signature]

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 36-07138

CERTIFICATE OF MAILING

I certify that a true and correct copy of PRELIMINARY SPECIAL MASTER'S REPORT, PRELIMINARY SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF PRELIMINARY SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on September 27, 1996, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ROGER D LING
PO BOX 396
RUPERT, ID 83350

[Signature: Debbie Lash]
DEBBIE LASH
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
09/27/96

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED *DL*

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right(s): 36-07138

On September 27, 1996, Special Master TERRENCE A. DOLAN issued a PRELIMINARY SPECIAL MASTER'S REPORT and a PRELIMINARY SPECIAL MASTER'S RECOMMENDATION pursuant to SRBA Administrative Order 1 sections 11 (e) and (f).

These documents are served only on parties to the subcase. They are not served on the Presiding Judge. Parties to this subcase may file a Motion for Reconsideration or a Motion to Correct Clerical Errors with the Special Master, but must do so before October 11, 1996.

DATED September 27, 1996.

Debbie Lash

DEBBIE LASH
Deputy Clerk